

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA, ex rel.
JOHN M. GREABE,**

Plaintiffs

v.

**BLUE CROSS BLUE SHIELD ASSOCIATION
and ANTHEM BLUE CROSS BLUE SHIELD
OF NEW HAMPSHIRE**

Defendants

Civil Action No. 04-11355 MEL

**RELATOR'S SUPPLEMENT TO JOINT STATEMENT
PURSUANT TO L.R. 16.1**

NOW COMES Relator, John M. Greabe, by and through his attorneys, Wiggin & Nourie, P.A., and pursuant to this Court's Order of August 24, 2007, supplements the Joint Statement filed by the parties pursuant Local Rule 16.1 ("Joint Statement"). The Relator reserves his right to further supplement the Joint Statement.

3. Settlement Proposals Pursuant to LR 16.1(c)

Relator suggests the following as a settlement proposal.

- (1) Relator is willing to accept for the benefit of the government, penalties of \$1,309,000.
- (2) Relator is willing to enter into expedited and focused discovery on the amount of *quantum meruit* offset BCBS can reasonably claim it is entitled to. Once that number is established, the parties can

mediate the sum the Government should receive as compensatory damages and whether the damages should be trebled.

- (3) Assuming that BCBS will agree to a floor of the payment of penalties in the amount of \$1,309,000, Relator will mediate the amount of costs and mediate the amount of money it is entitled to as a *quantum meruit* offset for the services provided to the government, and the Petitioner will also mediate the amount of costs and attorney's fees to which it is entitled.

Respectfully submitted,

RELATOR, JOHN M. GREABE

by his attorneys,

WIGGIN & NOURIE, P.A.

Date: September 7, 2007

By: /s/ Richard B. McNamara
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Certificate of Service

I hereby certify that on this day, a copy of the foregoing *Relator's Supplement to Joint Statement Pursuant to L.R. 16.1* was forwarded to all counsel of record pursuant to the Court's rules and procedures concerning electronic filing. Any persons not receiving notification through ECF as noted on the Notification of Electronic Filing will be conventionally served via first class mail, postage prepaid:

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Date: September 7, 2007

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